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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,922	11/09/2000	Rick Allen Hamilton II	AUS9-2000-0562-US1	5547

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EXAMINER
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DUONG, THOMAS

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/710,922

Applicant(s)

HAMILTON II ET AL.

Examiner

Thomas Duong

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1, 4-8, 11-15, and 18-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4-8, 11-15, and 18-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Amendment*

1. This office action is in response to the applicants Amendment filed on December 14, 2004. Applicant amended *claims 1, 8, and 15*. *Claims 1, 4-8, 11-15, and 18-21* are presented for further consideration and examination.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. *Claims 1, 4-8, 11-15 and 18-21* are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis (US005742829) and in view of Sakanishi et al. (US006678888B1).
4. With regard to *claims 1, 8 and 15*, Davis discloses,
  - *selecting a device driver to be installed.* (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B)Davis teaches of a method that *"provides an installation component at the client computer, where the client computer is heterogeneous with respect to the server computer and automatically determines when to install the software on the client computer by the installation component"* (Davis, col.2, lines 37-41). Hence,

Davis' system automatically selects the software that needs to be installed at the client computer upon its availability.

- *specifying said plurality of heterogeneous client computer systems to receive said device driver (program, software); (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B)*

Davis teaches of a method that *"provides an installation component at the client computer, where the client computer is heterogeneous with respect to the server computer and automatically determines when to install the software on the client computer by the installation component"* (Davis, col.2, lines 37-41). Hence, Davis' system automatically selects the software that needs to be installed at the client computer, which is heterogeneous with respect to the server computer, upon its availability.

- *storing a plurality of different versions of said device driver in said server computer system, wherein each one of said plurality of different versions is executable by only a different one of said plurality of operating systems; (Davis, col.2, lines 15-26, lines 53-58; col.5, lines 56-58; col.6, line 23 – col.7, line 34; fig.3A)*

Davis teaches a system *"for automatically installing software on heterogeneous client computer systems... The system described herein installs an edition of software appropriate for execution on a particular processor type, suitable for use with a particular operating system and in a particular natural language by utilizing commands specific to an operating system type"* (Davis, col.2, lines 15-26).

Furthermore, according to Davis, *"the second computer further comprises a first component for storing editions of software"* (Davis, col.2, lines 53-55) to be

installed on the client computers appropriate for execution on a particular processor type and suitable for use with a particular operating system.

- *determining, by said server computer system, one of said plurality of operating systems being executed by each one of said plurality of client computer systems;* (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B)

Davis teaches of a method that *“provides an installation component at the client computer, where the client computer is heterogeneous with respect to the server computer and automatically determines when to install the software on the client computer by the installation component”* (Davis, col.2, lines 37-41). Hence, Davis’ system automatically selects the software that needs to be installed at the client computer, which is heterogeneous with respect to the server computer, upon its availability.

- *distributing, by said server computer system, said plurality of versions of said device driver to said plurality of client computer systems*
  - *creating an install directory on said one of said plurality of client computer systems that is specified in said entry;* (Davis, col.9, lines 32-39)

Davis teaches of a *“destination directory of the client, where the software should be copied in order to execute properly”* (Davis, col.9, lines 35-37).

Hence, Davis teaches of copy the files needed for the installation to the appropriate directory structure in order for a proper installation.

- *determining an operating system listed in said entry;* (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B)

Davis teaches of a method that *“provides an installation component at the client computer, where the client computer is heterogeneous with respect to the server computer and automatically determines when to install the software on the client computer by the installation component”* (Davis, col.2, lines 37-41). Hence, Davis’ system automatically selects the software that needs to be installed at the client computer, which is heterogeneous with respect to the server computer, upon its availability.

- *selecting one of said plurality of different versions of said device driver that is executable by said determined one of said plurality of different operating systems; (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B)*

Davis teaches of a method that *“provides an installation component at the client computer, where the client computer is heterogeneous with respect to the server computer and automatically determines when to install the software on the client computer by the installation component”* (Davis, col.2, lines 37-41). Hence, Davis’ system automatically selects the software that needs to be installed at the client computer, which is heterogeneous with respect to the server computer, upon its availability.

- *executing a remote copy command to copy said selected one of said plurality of different versions of said device driver to said install directory created on said one of said plurality of client computer systems that is specified by said entry, said remote copy command utilizing said network address that is specified in said entry; (Davis, col.9, lines 32-39)*

Davis teaches of a *“destination directory of the client, where the software should be copied in order to execute properly”* (Davis, col.9, lines 35-37).

Hence, Davis teaches of copy the files needed for the installation to the appropriate directory structure in order for a proper installation.

- *causing by said server computer system, said one of said plurality of client computer systems that is specified by said entry to execute an install command to install said selected one of said plurality of different versions of said device driver;* (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B)

Davis teaches of a method that *“provides an installation component at the client computer, where the client computer is heterogeneous with respect to the server computer and automatically determines when to install the software on the client computer by the installation component”* (Davis, col.2, lines 37-41). Hence, Davis' system automatically selects the software that needs to be installed at the client computer, which is heterogeneous with respect to the server computer, upon its availability.

However, Davis does not explicitly disclose,

- *gathering, by said server computer system, a network address of each one of said plurality of client computer systems;*
- *creating, in said server computer system, a file including a plurality of entries, each one of said plurality of entries specifying a different one of said plurality of client computer systems, one of said plurality of different operating systems determined for said one of said plurality of client computer systems, and said*

*network address determined for said one of said plurality of client computer systems; and*

- *distributing, by said server computer system, said plurality of versions of said device driver to said plurality of client computer systems utilizing said file by:*
  - *getting an entry from said file;*
  - *repeating said step of distributing said plurality of versions for each one of said plurality of entries of said file.*

Sakanishi teaches,

- *gathering, by said server computer system, a network address of each one of said plurality of client computer systems; (Sakanishi, col.4, lines 64-66; col.5, lines 56-62; col.6, lines 47-52; col.7, lines 13-40; col.8, lines 44-64; col.9, line 55 – col.10, line 10; col.10, lines 41-57)*

Sakanishi teaches of a software distribution system wherein “the user of a controlled system specifies [the] desired software and executes a software distribution command” (Sakanishi, col.4, lines 64-66). In addition, Sakanishi states that “as an alternative, the person in charge of software management may have a software information file generated automatically” (Sakanishi, col.7, lines 35-38). Hence, along with the Davis teachings, a file specifying the heterogeneous client systems to be upgraded, based on their IP addresses, can automatically be generated and executed.

- *creating, in said server computer system, a file including a plurality of entries, each one of said plurality of entries specifying a different one of said plurality of client computer systems, one of said plurality of different operating systems determined for said one of said plurality of client computer systems, and said*



*network address determined for said one of said plurality of client computer systems; and (Sakanishi, col.4, lines 64-66; col.5, lines 56-62; col.6, lines 47-52; col.7, lines 13-40; col.8, lines 44-64; col.9, line 55 – col.10, line 10; col.10, lines 41-57)*

Sakanishi teaches of a software distribution system wherein *“the user of a controlled system specifies [the] desired software and executes a software distribution command”* (Sakanishi, col.4, lines 64-66). In addition, Sakanishi states that *“as an alternative, the person in charge of software management may have a software information file generated automatically”* (Sakanishi, col.7, lines 35-38). Hence, along with the Davis teachings, a file specifying the heterogeneous client systems to be upgraded, based on their IP addresses, can automatically be generated and executed.

- *distributing, by said server computer system, said plurality of versions of said device driver to said plurality of client computer systems utilizing said file by:*
  - *getting an entry from said file;*
  - *repeating said step of distributing said plurality of versions for each one of said plurality of entries of said file.* (Sakanishi, col.4, lines 64-66; col.5, lines 56-62; col.6, lines 47-52; col.7, lines 13-40; col.8, lines 44-64; col.9, line 55 – col.10, line 10; col.10, lines 41-57)

Sakanishi teaches of a software distribution system wherein *“the user of a controlled system specifies [the] desired software and executes a software distribution command”* (Sakanishi, col.4, lines 64-66). In addition, Sakanishi states that *“as an alternative, the person in charge of software management may have a software information file generated automatically”* (Sakanishi,

col.7, lines 35-38). Hence, along with the Davis teachings, a file specifying the heterogeneous client systems to be upgraded, based on their IP addresses, can automatically be generated and executed.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Sakanishi reference with Davis reference to enhance the software distribution system utilizing a file to specify the client computer systems that are to receive the appropriate edition (i.e. version) of software (i.e. driver) for execution on a particular processor type and suitable for use with a particular operating system type on a heterogeneous client computer systems from a centralized server.

5. With regard to claims 4-7, 11-14 and 18-21, Davis and Sakanishi disclose the invention substantially as claimed,

See *claims 1, 8 and 15* rejection as detailed above,

Furthermore, Davis and Sakanishi disclose,

- *getting a first entry from said file utilizing said server computer system; determining a first one of said plurality of operating systems included in said first entry utilizing said server computer system; determining a network address for a first one of said plurality of client computer systems included in said first entry utilizing said server computer system; retrieving a first one of said plurality of different versions of said device driver utilizing said server computer system, wherein said first one of said plurality of different versions of said device driver is executable by said first one of said plurality of operating systems; and copying said first one of said plurality of different versions of said device driver to said first*

*one of said plurality of client computer systems at said network address utilizing said server computer system.* (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B; Sakanishi, col.5, lines 56-62; col.6, lines 47-52; col.7, lines 13-30; col.8, lines 44-64; col.9, line 55 – col.10, line 10; col.10, lines 41-57)

Davis teaches of a method to automatically install, upon availability, an edition (i.e. version) of software (i.e. driver), which is appropriate for execution on a particular processor type and suitable for use with a particular operating system type on a heterogeneous client computer systems. In addition, Sakanishi teaches of a software distribution system utilizing a file to specify the client computer systems that are to receive the appropriate edition (i.e. version) of software (i.e. driver) for execution on a particular processor type and suitable for use with a particular operating system type on a heterogeneous client computer systems from a centralized server.

### ***Response to Arguments***

6. Applicant's arguments with respect to *claims 1, 8, and 15*, have been considered but they are not persuasive.
7. With regard to *claims 1, 8, and 15*, the Applicants point out that:
  - *Applicants claim gathering, by the server, a network address of each specified client. Neither Davis nor Sakanishi teaches gathering, by the server, a network address of each specified client.*

- *Applicant claim determining, by the server, an operating system being executed by each specified client. Neither Davis nor Sakanishi teaches determining, by the server, an operating system being executed by each specified client.*
- *Applicants claim creating a file that including multiple entries where each entry specifies a client, a different operating system that was determined for that client, and a network address that was determined for that client. Neither Davis nor Sakanishi teaches creating a file that includes multiple entries where each entry specifies a client, a different operating system that was determined for that client, and a network address that was determined for that client.*

However, the Examiner finds that the Applicants' arguments are not persuasive and maintains that Davis and Sakanishi disclose,

- *selecting a device driver to be installed.* (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B)  
Davis teaches of a method that *"provides an installation component at the client computer, where the client computer is heterogeneous with respect to the server computer and automatically determines when to install the software on the client computer by the installation component"* (Davis, col.2, lines 37-41). Hence, Davis' system automatically selects the software that needs to be installed at the client computer upon its availability.
- *specifying said plurality of heterogeneous client computer systems to receive said device driver (program, software);* (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B)  
Davis teaches of a method that *"provides an installation component at the client computer, where the client computer is heterogeneous with respect to the server*

*computer and automatically determines when to install the software on the client computer by the installation component"* (Davis, col.2, lines 37-41). Hence, Davis' system automatically selects the software that needs to be installed at the client computer, which is heterogeneous with respect to the server computer, upon its availability.

- *storing a plurality of different versions of said device driver in said server computer system, wherein each one of said plurality of different versions is executable by only a different one of said plurality of operating systems;* (Davis, col.2, lines 15-26, lines 53-58; col.5, lines 56-58; col.6, line 23 – col.7, line 34; fig.3A)

Davis teaches a system *"for automatically installing software on heterogeneous client computer systems... The system described herein installs an edition of software appropriate for execution on a particular processor type, suitable for use with a particular operating system and in a particular natural language by utilizing commands specific to an operating system type"* (Davis, col.2, lines 15-26).

Furthermore, according to Davis, *"the second computer further comprises a first component for storing editions of software"* (Davis, col.2, lines 53-55) to be installed on the client computers appropriate for execution on a particular processor type and suitable for use with a particular operating system.

- *determining, by said server computer system, one of said plurality of operating systems being executed by each one of said plurality of client computer systems;* (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B)

Davis teaches of a method that *“provides an installation component at the client computer, where the client computer is heterogeneous with respect to the server computer and automatically determines when to install the software on the client computer by the installation component”* (Davis, col.2, lines 37-41). Hence, Davis’ system automatically selects the software that needs to be installed at the client computer, which is heterogeneous with respect to the server computer, upon its availability.

- *distributing, by said server computer system, said plurality of versions of said device driver to said plurality of client computer systems*
  - *creating an install directory on said one of said plurality of client computer systems that is specified in said entry; (Davis, col.9, lines 32-39)*

Davis teaches of a *“destination directory of the client, where the software should be copied in order to execute properly”* (Davis, col.9, lines 35-37).

Hence, Davis teaches of copy the files needed for the installation to the appropriate directory structure in order for a proper installation.

- *determining an operating system listed in said entry; (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B)*

Davis teaches of a method that *“provides an installation component at the client computer, where the client computer is heterogeneous with respect to the server computer and automatically determines when to install the software on the client computer by the installation component”* (Davis, col.2, lines 37-41). Hence, Davis’ system automatically selects the software that

needs to be installed at the client computer, which is heterogeneous with respect to the server computer, upon its availability.

- *selecting one of said plurality of different versions of said device driver that is executable by said determined one of said plurality of different operating systems; (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B)*

Davis teaches of a method that *“provides an installation component at the client computer, where the client computer is heterogeneous with respect to the server computer and automatically determines when to install the software on the client computer by the installation component”* (Davis, col.2, lines 37-41). Hence, Davis' system automatically selects the software that needs to be installed at the client computer, which is heterogeneous with respect to the server computer, upon its availability.

- *executing a remote copy command to copy said selected one of said plurality of different versions of said device driver to said install directory created on said one of said plurality of client computer systems that is specified by said entry, said remote copy command utilizing said network address that is specified in said entry; (Davis, col.9, lines 32-39)*

Davis teaches of a *“destination directory of the client, where the software should be copied in order to execute properly”* (Davis, col.9, lines 35-37).

Hence, Davis teaches of copy the files needed for the installation to the appropriate directory structure in order for a proper installation.

- *causing by said server computer system, said one of said plurality of client computer systems that is specified by said entry to execute an install*

*command to install said selected one of said plurality of different versions of said device driver;* (Davis, col.2, lines 15-44; col.6, lines 23-65; col.8, line 56 – col.9, line 39; col.10, line 43 – col.11, line 29; fig.3A-3B)

Davis teaches of a method that *“provides an installation component at the client computer, where the client computer is heterogeneous with respect to the server computer and automatically determines when to install the software on the client computer by the installation component”* (Davis, col.2, lines 37-41). Hence, Davis’ system automatically selects the software that needs to be installed at the client computer, which is heterogeneous with respect to the server computer, upon its availability.

However, Davis does not explicitly disclose,

- *gathering, by said server computer system, a network address of each one of said plurality of client computer systems;*
- *creating, in said server computer system, a file including a plurality of entries, each one of said plurality of entries specifying a different one of said plurality of client computer systems, one of said plurality of different operating systems determined for said one of said plurality of client computer systems, and said network address determined for said one of said plurality of client computer systems; and*
- *distributing, by said server computer system, said plurality of versions of said device driver to said plurality of client computer systems utilizing said file by:*
  - *getting an entry from said file;*
  -



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- *repeating said step of distributing said plurality of versions for each one of said plurality of entries of said file.*

Sakanishi teaches,

- *gathering, by said server computer system, a network address of each one of said plurality of client computer systems; (Sakanishi, col.4, lines 64-66; col.5, lines 56-62; col.6, lines 47-52; col.7, lines 13-40; col.8, lines 44-64; col.9, line 55 – col.10, line 10; col.10, lines 41-57)*

Sakanishi teaches of a software distribution system wherein “the user of a controlled system specifies [the] desired software and executes a software distribution command” (Sakanishi, col.4, lines 64-66). In addition, Sakanishi states that “as an alternative, the person in charge of software management may have a software information file generated automatically” (Sakanishi, col.7, lines 35-38). Hence, along with the Davis teachings, a file specifying the heterogeneous client systems to be upgraded, based on their IP addresses, can automatically be generated and executed.

- *creating, in said server computer system, a file including a plurality of entries, each one of said plurality of entries specifying a different one of said plurality of client computer systems, one of said plurality of different operating systems determined for said one of said plurality of client computer systems, and said network address determined for said one of said plurality of client computer systems; and (Sakanishi, col.4, lines 64-66; col.5, lines 56-62; col.6, lines 47-52; col.7, lines 13-40; col.8, lines 44-64; col.9, line 55 – col.10, line 10; col.10, lines 41-57)*

Sakanishi teaches of a software distribution system wherein *"the user of a controlled system specifies [the] desired software and executes a software distribution command"* (Sakanishi, col.4, lines 64-66). In addition, Sakanishi states that *"as an alternative, the person in charge of software management may have a software information file generated automatically"* (Sakanishi, col.7, lines 35-38). Hence, along with the Davis teachings, a file specifying the heterogeneous client systems to be upgraded, based on their IP addresses, can automatically be generated and executed.

- *distributing, by said server computer system, said plurality of versions of said device driver to said plurality of client computer systems utilizing said file by:*
  - *getting an entry from said file;*
  - *repeating said step of distributing said plurality of versions for each one of said plurality of entries of said file.* (Sakanishi, col.4, lines 64-66; col.5, lines 56-62; col.6, lines 47-52; col.7, lines 13-40; col.8, lines 44-64; col.9, line 55 – col.10, line 10; col.10, lines 41-57)

Sakanishi teaches of a software distribution system wherein *"the user of a controlled system specifies [the] desired software and executes a software distribution command"* (Sakanishi, col.4, lines 64-66). In addition, Sakanishi states that *"as an alternative, the person in charge of software management may have a software information file generated automatically"* (Sakanishi, col.7, lines 35-38). Hence, along with the Davis teachings, a file specifying the heterogeneous client systems to be upgraded, based on their IP addresses, can automatically be generated and executed.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Sakanishi reference with Davis reference to enhance the software distribution system utilizing a file to specify the client computer systems that are to receive the appropriate edition (i.e. version) of software (i.e. driver) for execution on a particular processor type and suitable for use with a particular operating system type on a heterogeneous client computer systems from a centralized server.

Therefore, the Applicants still failed to clearly disclose the novelty of the invention and identify specific limitation, which would define patentable distinction over prior art.

### ***Conclusion***

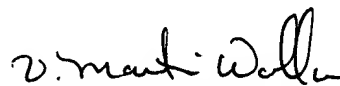
8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571/272-6159. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.

*Thomas Duong (AU2145)*

*April 26, 2005*

  
VALENCIA MARTIN-WALLACE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700